

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NICK PEARSON, FRANCISCO PADILLA,
CECILIA LINARES, AUGUSTINA BLANCO,
ABEL GONZALEZ, and RICHARD
JENNINGS, On Behalf of Themselves and All
Others Similarly Situated,

Plaintiffs,

v.

NBTY, INC., a Delaware corporation; and
REXALL SUNDOWN, INC., a Florida
corporation; TARGET CORPORATION, a
Minnesota Corporation,

Defendants.

Case No.: 11 CV 07972

CLASS ACTION

Judge James B. Zagel

DECLARATION OF KARA L. MCCALL

I, Kara L. McCall, declare under the penalty of perjury as follows:

1. I am an attorney with Sidley Austin LLP, counsel for Defendants Rexall Sundown, Inc. and NBTY, Inc. in the above-referenced case. I am a member of the Bars of Illinois and Indiana. I submit this Declaration to show Defendants' compliance with the notice requirements of the Class Action Fairness Act of 2005, 28 U.S.C. § 1715.

2. A copy of the settlement agreement between Plaintiffs and NBTY, Inc. and Rexall Sundown, Inc. ("Settlement Agreement") was filed with the Court on May 7, 2013 [D.E. 73-1] as Exhibit 1 to the Memorandum in Support of Plaintiffs' Motion for Preliminary Approval of Settlement [D.E. 73].

3. On May 15, 2013, I caused notice of the Settlement Agreement ("the CAFA Notice") to be served via Certified Mail, Return Receipt Requested, on the Attorney General of

the United States, as well as the Attorney Generals or, as appropriate, CAFA Coordinators, of all fifty States and the District of Columbia.

4. Attached as Exhibit A to this Declaration is a true and correct copy of the documents comprising the CAFA Notice that were sent to the Attorney General of the United States. Substantially identical cover letters and identical enclosures were sent to each of the Attorney Generals or, as appropriate, CAFA Coordinators, of the fifty States and the District of Columbia.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 29, 2013

/s/ Kara L. McCall
Kara L. McCall
SIDLEY AUSTIN LLP
One South Dearborn Street
Chicago, IL 60603
Telephone: (312) 853-7000
Counsel for Defendants Target Corporation; NBTY, Inc.; and Rexall Sundown, Inc.

CERTIFICATE OF SERVICE

I, Kara L. McCall, one of the attorneys for Defendants Target Corporation; NBTY, Inc.; and Rexall Sundown, Inc., certify that on the 29th of August, 2013, I caused a copy of the foregoing **DECLARATION OF KARA L. MCCALL** to be filed electronically with the Clerk of Court, to be served by operation of the Court's electronic filing system to all counsel of record.

/s/Kara L. McCall
Kara L. McCall